

Application No. 10/715,988  
Reply to Office Action of October 5, 2005

Attorney Docket No. 79076

**AMENDMENTS TO THE DRAWINGS**

The attached sheets of drawings include FIG. 5. This drawing has been amended to include references to a "close button" and a "biometric identification system." Both replacement sheets and annotated sheets showing the changes are attached.

Attachment: Replacement Sheet

Annotated Sheet Showing Changes

**REMARKS**

Claims 1-21 are pending in the application and stand rejected. The drawings were objected to by the Office Action for allegedly not showing every feature of the claims. Claims 2, 9, 12, 18, and 20 were rejected under 35 U.S.C. 112 , second paragraph for being indefinite. Claims 1-3 and 11-13 were rejected under 35 U.S.C. 102 as being anticipated by U.S. Patent No. 3,609,390 to Feldman ("the Feldman patent"). Claims 1-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,847,542 to Clark ("the Clark patent"). The Applicants traverse these objections and rejections for the reasons stated below.

The drawings were objected to because they allegedly did not show all the claimed features. Specifically, the Office Action stated that the terms "receiver", "transmitter", "stop, open, light, or learn button", and "biometric identification system" must be shown in the drawings. Claims 2, 3, 12, and 13 have been amended to remove the references to "receiver" and "transmitter." Claims 6 and 16 (reciting "stop, open, light, or learn button") have been cancelled. Finally, FIG. 5 has been amended to show a "close button" and a "biometric identification system."

The Office Action rejected claims 2 and 12 under 35 U.S.C. 112 for insufficient antecedent basis for recitation of the phrase "the transmitter at the output." Claims 2 and 12 have been amended to remove the term. Claims 9 and 12 were rejected under 35 U.S.C. 112 for lacking the recitation of an apparatus for detecting a biometric signature. The term "biometric identification system" has been added to these claims. Claim 18 was rejected by the Office Action because the phrase "specific action button is a close button" (allegedly recited in claim 18) lacked antecedent basis. Claim 18 has been amended to recite that the close button (initially recited in claim 11) "changes to a stop button."

Claims 1-3 and 11-13 were rejected under 35 U.S.C. 102 as being anticipated by Feldman. Claims 1-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Clark. The Applicants traverse these rejections for the reasons stated below.

Amended claim 1 recites a "close button" and that produces "a coded signal when actuated by a user." A first control signal to open the door is generated by a controller when the user enters user data input, such as a special authorization code. Thereafter, when the controller receives the coded signal indicating the close button has been actuated, the controller generates a

second control signal to close the door. In other words, the generation of the first control signal requires user data input (e.g., the special authorization code) while generation of the second control signal occurs without the entering any user data input (e.g., without reentering the special authorization code).

In contrast, Feldman teaches the use of a manual pushbutton 11 that is used to both open and close the door. Feldman, col. 2, lines 67-72. In the Feldman system, when the user desires to open the door, the user depresses the button 11 and a non-coded, electrical signal is generated. Feldman, col. 3, lines 3-18. The door is then opened. Id. When the user wishes to close the door, the button is pressed again, and the door closes. Id. Feldman does not teach the use of any user data input to open the door. Consequently, the Feldman system lacks the combination of generating a first control signal after the receipt of user data input to open the door and generating a coded signal using a dedicated close button in order to close the door (without the receipt of any user data input) as recited in claim 1.

Clark teaches a garage door system with remote load control. Specifically, two buttons are used to open and close a garage door: a door button 115 and a secure button 117. When the garage door is closed, actuation of the secure button 117 toggles a secure mode between secure and non-secure states. Clark, Abstract. In the secure state, the garage door operator does not move the door open receipt of the door signal. In order to open the door in this state, the user must first press the secure button 117 and then press the door button 115 to open the door. In order to close the door, the user presses the door button 115 (see Clark, Table I).

The secure button 117 has another function when the system is in non-secure state. Actuation of the secure button 117 in the non-secure state (when the door is open) toggles the state of a load (e.g., a light) between an on state and an off state.

In either state, the door button 115 used in Clark is not a dedicated close button as recited in claim 1. Furthermore, the door button 115 does not generate a coded signal to close the door as recited in claim 1.

Since the Feldman and Clark references lack elements recited in claim 1, it is believed that claim 1 is allowable over these references. Independent claim 11 has been amended in a manner similar to claim 1 and is believed to be allowable for the same reasons given above with respect to claim 1. Claims 6 and 16 have been cancelled. The remaining claims depend directly or indirectly upon claims 1 and 11. Since claims 1 and 11 are allowable, it is believed that the remaining dependent claims are also allowable.

The Commissioner is hereby authorized to charge any additional fees which may be

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required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135.

Respectfully requested,

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Dated: February 6, 2006

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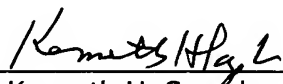
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Fig. 5

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